



DAVID Y. IGE
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SHAN S. TSUTSUI
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

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CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

**PRESENTATION OF THE
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

TO THE HOUSE COMMITTEE ON TOURISM

TWENTY-EIGHTH LEGISLATURE

Regular Session of 2016

Wednesday, February 3, 2016

10:00 a.m.

TESTIMONY ON HOUSE BILL NO. 2230, RELATING TO TRANSIENT OCCUPANCY.

TO THE HONORABLE TOM BROWER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Catherine Awakuni Colón, Director of the Department of Commerce and Consumer Affairs ("DCCA" or the "Department"). The Department appreciates the opportunity to provide testimony in opposition to House Bill No. 2230.

House Bill No. 2230 requires hosting platforms that offer or advertise a residential unit on the Internet for transient occupancy to report certain information annually to DCCA and provides for fines for noncompliance. The Department opposes this bill because these operators are already regulated by the Department of Taxation and are to provide to that agency the information listed in this bill.

Act 204, Session Laws of Hawaii 2015 ("Act 204"), requires transient accommodation tax ("TAT") registration numbers and local contact information to be

displayed in all transient accommodation units and in all advertisements of those units. Operators or plan managers that do not have the TAT registration number or local contact information properly displayed both in the unit and in the advertisement of the unit may be cited and fined. Additionally, transient accommodation brokers such as website operators, online travel agencies, and online booking agencies that do not provide a unit's TAT registration number and local contact information in all advertisements may be cited and fined.

If this Committee determines that the regulation established in Act 204 is insufficient, the Department respectfully asks this Committee consider expanding the existing regulation rather than creating a duplicate structure.

Thank you for the opportunity to provide testimony on this measure. I will be happy to answer any questions the members of the Committee may have.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
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KIRK CALDWELL
MAYOR



GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

February 3, 2016

The Honorable Tom Brower, Chair
and Members of the Committee on Tourism
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Brower and Members:

SUBJECT: House Bill No. 2230
Relating to Transient Accommodation

The Department of Planning and Permitting (DPP) **supports the intent** of House Bill No. 2230, which would require hosting platforms that offer or advertise a residential unit on the internet for transient occupancy to report certain information annually to the Department of Commerce and Consumer Affairs (DCCA), but we have reservations regarding certain provisions in the Bill.

We have no objections to the DCCA establishing regulatory requirements for owner/operators of residential units which offer transient accommodation. However, we are concerned that the provisions of this Bill may mislead the owners and operators of these transient accommodation units. The owners and operators may assume that they can readily conduct a transient accommodation unit once they are compliant with the regulatory reporting requirements for posting the availability of these units on the internet or website. This is incorrect.

In order for owners/operators to legally conduct transient accommodation operations, the use must be prescribed in the Land Use Ordinance (LUO) as a permitted use for the underlying zoning in which the residential unit is located. If the LUO indicates that the use is not permitted, the owner/operator can only legally conduct the use if a Nonconforming Use Certificate has been issued by the DPP, or if some other form of discretionary permit is issued by the department.

The Honorable Tom Brower, Chair
and Members of the Committee on Tourism
Hawaii House of Representatives
House Bill No. 2230
February 3, 2016
Page 2

For this reason, we request that the Bill be amended to include a provision that owners/operators of transient accommodations offer or advertise the residential unit on the internet site or website and are to be subject to compliance with LUO requirements.

Finally, the DPP supports the intent of this measure inasmuch as the information collected by the DCCA would provide additional information to assist City inspectors with their enforcement efforts against operators of illegal vacation rental units. The draft proposal in previous legislative sessions was made to create a public, online database of all operators and plan managers that receive a certificate of registration from the State. Although an online database is not contained in the present draft proposal, a revision of this Bill to identify those registered with the DCCA would be beneficial to both the State and the counties.

The DPP is willing to participate with any working group to address concerns expressed in our testimony. Thank you for this opportunity to testify on House Bill No. 2230.

Very truly yours,



George I. Atta, FAICP
Director

GIA:fmt
HB2230



House of Representative
The Twenty-Eighth Legislature
Regular Session of 2016

To: Rep. Tom Brower, Chair
Rep. Takashi Ohno, Vice Chair

Date: February 3, 2015

Place: Conference Room 312
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: House Bill 2230, Relating to Transient Occupancy

Chair Brower, Vice Chair Ohno and Members of the Committee:

Rental By Owner Awareness Association (RBOAA) is a Hawaii non-profit corporation whose mission is to provide Hawaii property owners with information to help them comply with the applicable State and County regulations, support the Hawaii economy by offering visitors choice in accommodation, and to advocate for the rights of Hawaii vacation property owners. RBOAA members provide transient vacation rentals in full compliance with existing tax and county regulations. RBOAA fully supports full enforcement of existing regulations.

RBOAA would like to voice our **support** for H.B. No. 2230, with three comments.

- 1) The Department of Consumer and Corporate Affairs will receive the information required under this proposed statute, however, the Department of Taxation is charged with the collection of Transient Accommodations Tax. The proposed bill, as worded, does not authorize nor require the Director to share the information collected with the DoT, however with the address and the tax ID number, the DoT computer systems could quickly and easily identify all instances of TAT & GET non-compliance. This is the logical next step to Act 204 (2015) and potentially the most powerful data set which could be made available to the DoT in enforcing TAT collection.
- 2) RBOAA recommends the committee consider the experience of other jurisdictions which have considered this proposal, and consider appropriate steps to protect the privacy of personal data received from the hosting platforms.

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- 3) RBOAA also requests wording be added to this bill to provide for a public annual report from the Director providing a) total number of advertisements reported; b) total number of discrete addresses reported; c) total number of distinct addresses reporting a valid TAT number.

Thank you for the opportunity to testify on this measure.

Sincerely,

Neal Halstead
President,
Rentals by Owner Awareness Association



Internet Association

February 1, 2016

Representative Tom Brower
Chair, House Committee on Tourism
State Capitol, Room 315
415 South Beretania St.
Honolulu, HI 96813

**RE: HB 2230 (MIZUNO) – HOME SHARING REGULATION
OPPOSE**

Dear Representative Brower,

The Internet Association appreciates the opportunity to provide written testimony in **opposition to House Bill 2230 (Mizuno)**, which is set for hearing on Wednesday, February 3 in the House Committee on Tourism. While we understand and appreciate the public policy issues at hand, we believe that HB 2230 would only frustrate the privacy rights and expectations of Internet users and set broader, negative precedents for online commerce throughout the country.

The Internet Association is a nonprofit trade organization that represents the interests of America's leading Internet companies and their global community of users. The Internet Association is dedicated to advancing public policy solutions to strengthen and protect Internet freedom, foster innovation and economic growth, and empower users.

Internet-enabled home sharing is a positive social and economic development that consumers worldwide are embracing for good reason. Home sharing platforms empower individuals to monetize their extra space and make it available to a global online community. Hosts can earn extra income to pay their bills, and share their home or apartment with guests who may not otherwise have the means to visit Hawai'i. And while the Internet Association supports smart regulations that promote continued innovation in this space, we believe that HB 2230 falls short of this goal.

HB 2230 would require home sharing platforms to turn over sensitive Internet user data to the Hawai'i Department of Commerce for enforcement purposes. This is a troublesome and overbroad precedent that would violate the privacy expectations of online communities and is at best an unnecessary tool for state officials to accomplish their mission of enforcement.

Users rightfully do not expect their personal data to be summarily turned over to enforcement officials by Internet companies without sufficient legal justification. This approach to enforcement is also a slippery slope with much broader implications to the larger Internet economy. What is to prevent governments from requiring other Internet businesses to turn over user data for similar monitoring and enforcement purposes? Should e-commerce sites be required to turn over purchase and sales data on each of its users to the government just so that enforcement officials can review records in search of potential violations of local or state laws? Such approaches strike a serious imbalance between the desire of governments to enforce their many laws and U.S. citizens' broad right to privacy.

In an environment where it is unclear whether and how pre-existing laws apply to new and innovative services that benefit consumers but often disrupt incumbent business models, regulators may be tempted to collect information regarding those services broadly and from the seemingly easiest source. However, this is without consideration of the greater implications posed to beneficial Internet platforms and online commerce. In this instance, a recurring data-sharing mandate imposed on Internet platforms is an inappropriate way for state officials in Hawai'i to carry out their enforcement mission. Such a requirement could discourage the development of, and participation in, new and innovative Internet services. Also, allowing government to obtain user data from Internet platforms may have an appreciable impact on the way in which the companies are perceived, and consequently the frequency with which users participate in their services. It would also impose a burden on the companies through a loss of goodwill with their users. In short, a government policy that relies upon data requests for law enforcement is not the right approach.



Internet Association

By imposing data sharing mandates on innovative Internet companies, HB 2230 would set concerning precedents that could chill future Internet commerce and innovation. The Internet Association stands ready and willing to work with state and local officials to find public policy solutions that can continue to allow these online services to flourish while meeting the needs of local communities. But for the reasons mentioned above and more, the Internet Association must **OPPOSE HB 2230 (Mizuno)**. If you have any questions, please contact me at (916) 498-3316 or callahan@internetassociation.org.

Sincerely,

Robert Callahan
State Government Affairs

CC: Members, House Committee on Tourism
The Honorable John Mizuno, Hawai'i House of Representatives



Eric Gill, Financial Secretary-Treasurer

Hernando Ramos Tan, President

Godfrey Maeshiro, Senior Vice-President

February 2, 2016

The Honorable Tom Brower, Chair
and Members
Committee on Tourism
Hawaii State House of Representatives

TESTIMONY submitted on behalf of UNITE HERE! Local 5

Re: HB2230, Relating to Transient Occupancy – requires hosting platforms that offer or advertise a residential unit on the Internet for transient occupancy to report certain information annually to the DCCA. Provides for administrative fine to be deposited into the compliance resolution fund.

Chair Brower and Members:

UNITE HERE Local 5 is a local labor organization representing 11,000 hotel, health care and food service workers employed throughout our State. We stand in strong support of HB2230, and ask for your Committee's support in advancing the measure.

We support this measure inasmuch as it would provide a tool to quantify the proliferation of illegal transient vacation rentals. More importantly, it includes language that puts responsibility on hosting platforms. This legislation, if passed, would begin to address a growing threat to the visitor industry and the job base it supports. The bill would also start to address the affordable housing crisis on Oahu.

Taxes

We can only guess at the amount of TAT and GET lost to the State and the City & County from illegal vacation rentals. A study commissioned by the Hawaii Tourism Authority identified 4,411 individually advertised units on Oahu as of September 2014, and over 22,000 across the state, making up over 25% of the total lodging supply. It is not clear how many of these are legal vacation rentals, individual self-managed rooms in condotels, etc. It is clear, however, that each unit rented out without paying taxes makes it more difficult for the City & County and the State to provide infrastructure, public safety, and even marketing – things that owners of these products benefit from – not to mention education, Quest benefits, etc which residents statewide benefit from.

Housing

The HTA study also found there were 4.6 individually advertised Units for every 100 housing units statewide. In areas like Kahuku and Haleiwa, the ratio was much greater (20.3 and 15.8 units per 100 housing units, respectively). Our elected leaders are surely aware of the need for more affordable housing, the barriers to constructing housing that is truly affordable and about the growing number of projects marketing condominium and housing units which are out of reach for the average family. When people from out of state buy Hawaii properties under the guise of "second homes" and then turn around and use them as illegal vacation rentals, it takes away for the pool of available housing for island residents, and that in turn, can drive price inflation. Regulating illegally rented units is part of the solution to our affordable housing crises.

Safety

Hotels are subject to fire code requirements, ADA regulations, zoning regulations and other rules established to promote the health, safety, equal access, etc. of residents and visitors alike. Vacation rentals should meet the same standards, but it is not clear whether illegal operations are compliant or not.

Jobs

The idea behind services like AirBnB is that people can supplement their incomes by providing limited lodging services. On its face, this may seem justifiable – after all, a lot of people struggle to make ends meet. However, the other side of the coin is that illegal vacation rentals don't create the number or the quality of jobs that more traditional lodging products provide. An individual unit is not likely to employ parking valets, front desk workers, waithelp, and perhaps not even housekeepers. People working good jobs in the hotel industry can provide for their families and communities. If that model is undermined, we are putting the future for our children and our community in jeopardy.

Some supporters of these types of limited lodging services argue that they cater to visitors looking for vacation experiences not offered at a hotel, and that such visitors will not come if vacation rentals are not allowed. Other opponents of this measure may argue that limited lodging services provide them with necessary supplemental income. These issues should be addressed, but continuing the status quo is not a solution for all the reasons above. We should have meaningful dialogue about how and where alternative lodging arrangements fit into and benefit our communities.

To the extent that making a living on illegal vacation rentals cost jobs or makes housing less affordable for families, the benefits to one person may end up as a burden to another. Further, as well-capitalized investors learn how to buy out the operations of individual owners or renters en masse and cut them out of the picture, the drawbacks to illegal vacation rentals may not be offset by these same benefits.

Local 5 has done extensive studies on this issue and has progressive ideas on how to assist the city on the enforcement of the current laws relating to transient vacation accommodations and we are willing to provide the information this committee. We also believe that any workable solution must include language that puts some responsibility on hosting platforms in order to be successful so please move HB2230 forward.

Thank you for your consideration



LATE

Testimony of

Mufi Hannemann
President & CEO
Hawai'i Lodging & Tourism Association

Tourism Committee
February 3, 2016

House Bill 2230: Relating to Transient Occupancy

Chair Brower, Vice Chair Ohno, and members of the Tourism Committee:

Thank you for the opportunity to testify. On behalf of the Hawai'i Lodging & Tourism Association, we support the concept of House Bill 2230 which would require hosting platforms that offer or advertise a residential unit on the internet for transient occupancy to report information to the State Department of Commerce and Consumer Affairs annually.

We support having hosting platforms report the address of each residential unit in this State that is offered for transient occupancy and the tax identification number of the owner or operator. We would however like to propose that you include in this bill the same reporting requirements by the hosting platforms to also be reported to the State Department of Taxation.

DOTAX is poised to implement its tax modernization program by August of this year. This would assist DOTAX's Special Enforcement Section (SES) in their work of identifying the transient vacation units throughout the state, and researching and reporting those that are not in compliance.

Mahalo.



Maui Hotel & Lodging
ASSOCIATION

Testimony of

Lisa H. Paulson

Executive Director

Maui Hotel & Lodging Association

on

HB 2230

Relating To Transient Occupancy

COMMITTEE ON TOURISM

Wednesday, February 3, 2016, 10am

Conference Room 312

LATE

Dear Chair Brower, Vice Chair Ohno and Members of the Committee,

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry. Our membership includes over 150 property and allied business members in Maui County – all of whom have an interest in the visitor industry. Collectively, MHLA's membership employs over 20,000 local residents and represents over 19,000 rooms. The visitor industry is the economic driver for Maui County. We are the largest employer of residents on the Island - directly employing approximately 40% of all residents (indirectly, the percentage increases to 75%).

MHLA is in support with comment of HB 2230, which requires hosting platforms that offer or advertise a residential unit on the Internet for transient occupancy to report certain information annually to the DCCA. Provides for administrative fine to be deposited into the compliance resolution fund.

MHLA supports having hosting platforms report the address of each residential unit in the State of Hawaii that is offered for transient occupancy and the tax identification number of the owner or operator. However, we would like to propose that you include in this bill the same reporting requirements by the hosting platforms to also be reported to the State Department of Taxation.

DOTAX is poised to implement its tax modernization program by August of this year. This would assist DOTAX's Special Enforcement Section (SES) in their work of identifying the transient vacation units throughout the state, and researching and reporting those that are not in compliance.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 9:39 AM
To: TOUtestimony
Cc: mnotestone@gmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Michele Notestone	Individual	Comments Only	No

Comments: I DISAGREE OF THIS BILL. MAHAOLO, MICHELE NOTESTONE

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 2:14 PM
To: TOUtestimony
Cc: gamundoyeric@yahoo.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/1/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Eric	Individual	Oppose	No

Comments: Aloha Chairs, My name is Eric, I am a Police Officer, Husband, and father of four young children. I am also a host to guests visiting the islands and have been a host for six months. Being a host has benefitted my family GREATLY. Hawaii is the the #1 state of middle class families living paycheck to paycheck, and with one steady income (my wife is a Realtor, and is only paid on commissions), two adults, four children, high cost of living, and bills... we were really feeling that pinch. Hosting has provided that extra cushion, to allow us to breathe between bills. It has helped us pay down our debts, and allowed us to start a savings for our keiki. Without it, we would have no way of saving for life's mishaps like a flat tire, or roof repairs. Hosting has helped us keep our home value, as it is well maintained - the neighboring homes appreciate. Hosting has fine tuned our ho'okipa, allowing us to share knowledge, spread aloha, and introduce our Hawaiian culture, so our guests appreciate Hawai'i for what it is, and what it was. It has taught our children responsibility, hospitality, and allowed them to finally try their hands at an extra curricular activity... which before hosting, was never possible. In turn, our guests are benefitting local businesses like the surf rental shop down the road, or the local tour company departing from the boat harbor, or the Native Hawaiian soap shops. We also, pay our taxes, benefitting all. However, HB2230 will not benefit us. We (my wife and I) strongly oppose bill HB2230 for the following reasons: The online platform in which we choose to use, provides us with securities. We are able to approve or deny anyone from receiving information, and with something as grand as our address, we are very select in who may hold that information. We do not want there to be a possibility of a "public record" or database of hosts with our private information available. We do not want there to be any form of our private information being used for any purpose other than what we have knowledge of. Should there be a public file of hosts, you put our security at risk. At risk for stalking, burglarizing, or vandalism. We do not feel comfortable with any private information from our hosting platform being shared with anyone. As citizens, we should have that right of our information to be protected. Mahalo for your time.

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the committee prior to the convening of the public hearing.

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Tuesday February 2, 2016

Opposition for HB2230

My name is Kilty Inafuku and I share a room in my home because it helps us make ends meet. It allows us to financially pursue careers that we are passionate about. And in sharing a room, we are able to meet people from all over the world and share with them our local culture and lifestyle.

Our brother moved to the mainland to be with his girlfriend and because of the high cost of living in Hawaii. So in order to make rent, we decided to try renting the empty room, which is how we came to start hosting. We've found it to be extremely helpful in our ability to pay our rent. Plus we have been able to forward our guests to the local businesses that we support, instead of big corporate hotels and tourists traps. Airbnb hosts are middle class residents who share their homes to help make ends meet. Meanwhile, guests generate local economic activity and support small businesses.

I'm writing in opposition to HB2230 for the following reasons:

1. The bill violates personal privacy. I'm concerned about a bill that would require internet platforms to turn over personal user information to the state. This alters the privacy protection that residents and users expect. Platforms like Airbnb have a duty to protect the data of users, and legislators have a duty to protect their residents' privacy. Requiring platforms to turn over user data so that officials can examine records in search of potential violation amounts to a blanket search warrant.
2. The bill threatens public safety. Compelling platforms to report private information to the DCCA make this private information open to public records, meaning that personal information about hosts would be shared and invade the privacy of residents and create safety risks for neighbors. Airbnb already has safety protections for hosts that conceal a host's address until they agree to rent to a guest. Hosts strongly support having the ability to control when and how we share our address with a guest.

Airbnb is safely and fairly allowing Hawaii-born residents to financially afford the high cost of living and promote the local economy by sharing the true local culture with visitors. We urge the committee to stop HB2230. Thank you for this opportunity to testify.

Bill HB2230

Aloha –

I am shocked that the state legislature would require personal and private information to be posted on a website for all to see.

This is information that is NEVER released to potential renters until I am allowed to vet each and every one of them. My number one concern is my personal safety and safety for my neighbors. Each person that stays with us, must be accountable, communicative, have a high rating, verified, and rule abiding. Then and ONLY then, do I accept their reservation. At that time, I have made a commitment to my family and my neighbors that this guest will be “rule abiding” and not disturb their quality of life.

If you require that we publically list our address – you are 100% responsible for the “window shopping” that will occur. Cars will drive up and down the street “casing” the location and neighborhood to decide if they want to stay. Criminals will now be able to map out the rentals and hit them and the rental cars.

This is not only a violation of our privacy, but a huge safety and security risk to our neighbors. There are better ways to enforce this – requiring private information is NOT one of them.

Do not put the public at risk. Vacation rentals can and do live peacefully in high-density neighborhoods. Look at how Portland runs them – look at the requirements that are needed to hold a permit – how all neighbors must sign off on the rental, the rules and regulations, and the inspections. Stop letting only the few benefit from the tourists that flood our islands and start letting the local residents earn part of their income and make their communities better!

Mahalo!

Testimony for HB2230

To the members of the committee considering HB2230,

May I share my concern regarding Bill HB2230.

1. I'm opposed to a mandatory regulation to have hosting site owners report confidential information of its participants to the Director of Commerce and Consumer Affairs. I feel it is a violation of my personal privacy rights that such confidential information be shared with the general public as public information.
2. I believe that such disclosed information may eventually expose my family and myself to governmental and public harassment, bullying, loss of personal security, and bodily safety issues.
3. I would suggest that the State of Hawaii allow Hosting Platform Sites to withhold and remit TAT and GE Taxes in favor of its participating members directly to the Department of Taxation.

This suggested requirement would insure that the State of Hawaii would receive its tax revenue in a timely and consistent manner without sharing confidential information with the general public.

Thank You for allowing me to share my concerns regarding this bill – HB2230,

Respectfully Yours,

A Concerned Citizen

Thomas White

77-6480 Leilani St.

Kailua-Kona, HI 96740

2-1-2016

My name is Thomas White and I would like to make my concerns heard in regard to HB2230. I am a user of an internet platform which would be effected by the proposed legislation. I'm opposed to this legislation because of its unnecessary regulatory burden placed on individuals, such as myself, who operate wholly under current rules set in place for users/providers of transient accommodations. The proposed legislation will only add another hurdle to those of us trying to meet all the legal requirements of providing clean, safe and desirable transient accommodations. The use of such platforms has increased the number of visitors to our islands, thereby increasing revenue to businesses and State coffers, but I fear additional regulation which saddles the users of these platforms with an unnecessary burden in order to remain in compliance would cause some to not participate in this economically supportive endeavor.

Thank you for taking the time to consider my position.

Mahalo

A handwritten signature in black ink, appearing to read "Thomas White", with a stylized flourish at the end.

Thomas White

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 2:09 PM
To: TOUtestimony
Cc: namniboose@gmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Alison Harris	Individual	Oppose	No

Comments: From my understanding this would subject individuals to the publication of their personal details, which would put their safety at risk. For this reason I am opposed to this measure.

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February 2, 2016

Aloha my name is Rachel and I am a share-owner on Airbnb. I started offering a room in my single dwelling home a year ago. My visitors are from all over the world and I have built friendships and shared my life and culture through the experience. It has been a truly wonderful experience for my guests and me. Because I live in my home, my visitors are my guests and are treated such as by family, friends and neighbors. They become a part of my 'ohana.

Being a share owner on Airbnb has given me the opportunity to afford my home as a recent divorcee and as a means to care for my elder father. Like most places in the world, Hawai'i is experiencing the impact of technology, ecommerce and small business opportunities particularly in the travel and tourism industry with emerging online platforms like Airbnb and Uber.

Besides fulfilling my need to be self-sustaining and self-supporting, I am writing in opposition of HB2230 because I believe the bill violates my personal privacy rights. The proposal would violate privacy by requiring Internet platforms to turn my personal information over to state agencies, which violates the online privacy protection that I expect. Counties like San Jose, California, have enacted successful short-term rental laws without forcing platforms to turn over the homeowner's personal information. The proposed bill also threatens public safety by requiring my personal information be sent to DCCA which would then become public record. This would create safety risk for my neighbors and me. Airbnb has already built in safety checks for protections with the ability to share my address to guests when and how I decide how to share it.

Hawai'i is known for being one of the most un-friendliest state in the US to do business. Hawai'i needs to compete with other amazing cities in world by embracing technology and small business opportunities. We need to find a safer and better way to collect taxes to protect the home- owner, the neighbors and the visitors. The City should instead find a way to work with the online platforms directly.

Thank you, Rachel

Privacy of my personal information is very important to me- from identity theft to physical location, to personal safety. Please respect the right to personal privacy.
Sincerely,
Barbora Locquiao

Privacy of my personal information is very important to me- from identity theft to physical location, to personal safety. Please respect the right to personal privacy.
Sincerely,
Dana Zvonarova

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 2:46 PM
To: TOUtestimony
Cc: ferngrottos@gmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Fern Thompson	Individual	Oppose	No

Comments: I host quests on Airbnb and oppose bill HB2230: 1. It is an infraction on my privacy. Information will be available to the public about myself online for anyone to view. 2. I fear for this information being used by persons for some illegal operations. I believe my personal security will be vulnerable to attack by whoever wishes me and my family harm. Sent from my iPhone

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I wish to thank the Committee on Tourism Chairman Tom Brower, Vice Chairman Takashi Ohno and Committee on Tourism members for the opportunity to testify regarding HB 2230.

My name is Eve Schell I have been an Airbnb Home-sharer for a little over one year now. I am a single senior citizen in our community. Home-sharing with Airbnb allows me to afford to continue to live and contribute to our Honolulu community in a meaningful way. At this time I have shared my home with guests from more than five countries. What home-sharing allows me to do is share the Aloha Spirit to the guests that choose our island as their vacation spot. They enjoy the local shops and restaurants I tell them about, the cultural activities that enrich their stay. Places beyond Waikiki to enjoy music and the variety of cultural offerings. They shop and share their treasures with me. I think my new friends say it best in their reviews "My wife and I spent three perfect days and enjoyed every moment." "Eve kindly gave us lots of tips on what to see and do on Oahu." I enjoyed the very good local dining" "We got accurate recommendations for best places to eat and shop." "The perfect definition of how traveling feels like home". "My mum said she will stay again"

Airbnb protects my privacy by not releasing my location or phone number or email address until a booking is complete. This is very important to me and gives me a sense of security. To have my name, address and phone number a part of public record leaves homesharers vulnerable to anyone who wishes to access it. There are other successful transient rental laws in other states that do not expose their citizens in this way. I am certain you will consider that in evaluating this bill.

Respectfully yours

Eve Schell

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 3:08 PM
To: TOUtestimony
Cc: sdtobaja@aol.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
william pink	Individual	Oppose	Yes

Comments: As a fully licensed operator of transient rentals I see no value in this ledgislation.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 3:13 PM
To: TOUtestimony
Cc: grumpyscosmos@gmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
steve scott	Individual	Oppose	No

Comments: Aloha, I am writing to voice my disapproval to this bill...It is an infringement on Privacy. And allows private information to be shared with entity's that should not have access.. Mahalo Steve Scott

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As an Airbnb host operating in the state of Hawaii, I am very concerned about the compromise in security that bill HB2230 would impose. Having guest info and booking dates available for public record would allow unauthorized parties to know whether my units are occupied or vacant which would be a huge compromise to the safety of these properties. These are the immediate obvious concerns, but I am also worried about other privacy and security matters that may not yet be evident.

As a registered Hawaii small business owner and Transient Vacation Rental License holder I feel the Hawaiian government already has all the information needed from vacation rental operators and any further requirements to register with additional government offices, particularly those that will allow private info to be available for public record would be an unfair and unreasonable mandate.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 5:19 PM
To: TOUtestimony
Cc: jttsurf@hotmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
james davis	Individual	Oppose	Yes

Comments: As a tax paying citizen who adheres to the TAT laws, I find it to be unnecessarily risky for my personal information as well as my property's information to be required to be entered into a government site, available to the public record. This could easily become a security threat to me and the other owners of good-quality properties on Oahu. Sincerely, James Davis, Kailua

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 6:48 PM
To: TOUtestimony
Cc: hals15@yahoo.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

LATE

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
j henchy	Individual	Oppose	No

Comments: I oppose this bill, Maui is a tourist destination. People from all the world have different taste where they want to stay, uber, airbnb have changed the world. Charge tat to all who file for a permit and lets live happily ever after. Shut down rentals shut down the aloha.

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I am a retired film technician and use my AirBnB to make it possible to remain in Hawaii and in my house. Without this source of income, I would not be able to afford to make my mortgage payments or pay other bills. I feel that the availability of BnB rooms is a resource that is underestimated by the State Government. And easily fits in with local communities. Many of my guests have told me that they would not be able to visit Hawaii, or stay as long as they do, without the availability of such accommodation. Those that want to stay in a hotel will continue to do so, but BnB opens a whole new avenue for the tourist industry here. I have always paid my Excise & Transient Accommodation Taxes so that is not an issue here, and we pay the same as the hotels. The problem started with vrbo who were not complying with the requirements. We should not be penalized for their lack of responsibility. Please do not approve this bill. I want to stay here and contribute to the islands. Mahalo nui loa

LATE

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:50 PM
To: TOUtestimony
Cc: noirpark1@gmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Edie Goldberg	Individual	Oppose	No

Comments: This bill would be an invasion of my privacy and could potentially even put my personal safety and that of my family at risk. My personal information should not become public information. If a neighbor of mine has a complaint about what I am doing with my property there are existing channels for them to take to rectify the situation. Airbnb has allowed me to keep my head above water financially and I am grateful for it. You guys should focus more in the many zoning violations that are rampant in Honolulu.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:52 PM
To: TOUtestimony
Cc: kcraw@kona.net
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

LATE

HB2230

Submitted on: 2/2/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Lance Caspary	Individual	Oppose	Yes

Comments: Please do not pass this legislation. Making this kind of information public record leaves hosts vulnerable to all types of criminal behavior and exploitation. Great care is taken to keep this information private without a confirmed reservation. In our quest to secure greater revenues from transient accommodations, let's not kill the goose that lays the golden eggs in the process. We desperately needs new models for agriculture and emerging agri-tourism enterprises made possible through transient accommodations might very well be an important part of growing more of our own food and securing more food security as well as preserving agricultural communities and lifestyles. I've farmed for a living here in Kohala since 1990. I've survived the collapse of plantation era irrigation systems, the lack of will, wisdom, and resources to preserve agricultural infrastructure, earthquakes, and utterly dysfunctional permitting processes but if you destroy the economic opportunities afforded by the addition of transient accommodations to agricultural activities you will finally achieve driving me totally out of business as well as losing my farm. Let's work together to find ways to increase revenues from transient accommodations taxes without discouraging productive and beneficial enterprise.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2016 12:03 AM
To: TOUtestimony
Cc: billkealoha@gmail.com
Subject: Submitted testimony for HB2230 on Feb 3, 2016 10:00AM

LATE

HB2230

Submitted on: 2/3/2016

Testimony for TOU on Feb 3, 2016 10:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Kealoha	Individual	Oppose	No

Comments: This is a bill that could have disastrous consequences. If the addresses of the owners of transient accommodations become public record, or are publicly accessible, just think of all the possible repercussions. Also this bill sets a scary precedence, in that, an internet website would be forced to turn over their users information if passed into law. That's an invasion of privacy. I strongly oppose this bill. Leave the common people alone. We are just trying to get ahead by renting out rooms in our home. Hawaii's cost of living is through the roof, this helps us stay afloat, and out of too much debt.

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